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12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**

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15 ALLSTATE INSURANCE COMPANY,  
16 ALLSTATE PROPERTY & CASUALTY  
INSURANCE COMPANY, ALLSTATE  
17 INDEMNITY COMPANY, and ALLSTATE  
FIRE & CASUALTY INSURANCE  
18 COMPANY,

19 Plaintiffs,

20 v.

21 RUSSELL J. SHAH, MD, DIPTI R. SHAH,  
MD, RUSSELL J. SHAH, MD, LTD., DIPTI  
22 R. SHAH, MD, LTD., and RADAR  
MEDICAL GROUP, LLP dba UNIVERSITY  
23 URGENT CARE, DOES 1-100, and ROES  
101-200,

24 Defendants.

25 AND RELATED CLAIMS  
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CASE NO. 2:15-cv-01786-APG-CWH

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE THE FILING  
DATE OF PLAINTIFFS' OPPOSITION  
TO DEFENDANTS' MOTION TO  
DISQUALIFY PLAINTIFFS' COUNSEL  
[ECF No. 198]**

**(Second Request)**

1 Plaintiffs/Counterdefendants ALLSTATE INSURANCE COMPANY, ALLSTATE  
2 PROPERTY & CASUALTY INSURANCE COMPANY, ALLSTATE INDEMNITY COMPANY,  
3 and ALLSTATE FIRE & CASUALTY INSURANCE COMPANY (collectively, the “Allstate  
4 Parties”), and Defendants and Counterclaimant RUSSELL J. SHAH, M.D., DIPTI R. SHAH, M.D.,  
5 RUSSELL J. SHAH, MD, LTD., DIPTI R. SHAH, MD, LTD., and RADAR MEDICAL GROUP,  
6 LLP dba UNIVERSITY URGENT CARE (collectively, the “Radar Parties”), by and through their  
7 respective attorneys of record, stipulate and agree as follows:

8 **RECITALS**

9 WHEREAS, on December 5, 2017, the Radar Parties filed and served their Motion to  
10 Disqualify Plaintiffs’ Counsel (Hearing Requested) [ECF No. 198]; and

11 WHEREAS, on December 13, 2017, the parties stipulated to a continuance for the Allstate  
12 Parties to file and serve an Opposition to the Motion to Disqualify Plaintiff’s Counsel up to and  
13 including January 15, 2018 [ECF. No. 206], which was approved by the Court on December 15, 2017  
14 [ECF No. 208].

15 **BACKGROUND FACTS**

16 Good cause exists to continue the deadline for the Allstate Parties to file and serve an  
17 Opposition to the Motion to Disqualify Plaintiff’s Counsel; specifically:

18 1. When the parties agreed that the Allstate Parties would have until January 15, 2018 to  
19 file their opposition, they did not realize that January 15, 2018 is Martin Luther King Jr. Day, and that  
20 not only would the Court be closed, but their offices would also be closed;

21 2. The Allstate Parties’ counsel, Todd Baxter, who is preparing the opposition, was out on  
22 vacation for the holidays until Monday, January 8, 2018. Upon his return, he had to address some  
23 unexpected medical issues, which further kept him out of the office for different parts of the day from  
24 January 8, 2018 through January 10, 2018; and

25 3. The parties are working to resolve remaining discovery issues arising out of the Court’s  
26 May 19, 2017 Order [ECF No. 151], and will be having a further meet and confer to address certain  
27 issues on January 16, 2018.

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This is the second and final stipulation for an extension of time for the Allstate Parties to file their Opposition to the Radar Parties' Motion to Disqualify Plaintiffs' Counsel. This stipulation is made in good faith and not to delay the proceedings.

Dated: January 11, 2018

BAILEY KENNEDY

By: /s/ Joshua P. Gilmore

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DATED this January 12, 2018.

UNITED STATES DISTRICT COURT JUDGE

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on this 11th day of January, 2018, a true and correct copy  
3 of **STIPULATION AND [PROPOSED] ORDER TO CONTINUE THE FILING DATES OF**  
4 **PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISQUALIFY PLAINTIFFS'**  
5 **COUNSEL [198]** was served via the United States District Court CM/ECF system on all parties or  
6 persons requiring notice.

7 Dennis L. Kennedy, Esq.  
8 Joseph A. Liebman, Esq.  
9 Joshua P. Gilmore, Esq.  
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13 *Attorneys for Defendants*

14 By /s/ Mary M. Schnee  
15 Mary M. Schnee, an Employee of  
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17 WAYTE & CARRUTH LLP

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